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Response Under 37 CFR 1.116  
EXPEDITED PROCEDURE  
EXAMINING GROUP 1614

Docket No. ORT-1578

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Carlos R. Plara-Salaman et al.

Serial No. : 10/081,943 Art Unit: 1614

Filed : February 21, 2002 Examiner: D.C. Jones

For : CARBAMATE COMPOUNDS FOR USE IN THE TREATMENT OF PAIN

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

May 24, 2004

(Date)

Peter L. Herridge

Name of applicant, assignee, or Registered Representative

Peter L. Herridge  
(Signature)

May 24, 2004

(Date of Signature)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

RESPONSE

Dear Sir:

This is a response to the Final Office Action mailed December 18, 2003.

A petition to extend the time to respond to the pending Office Action by three months is enclosed herewith.

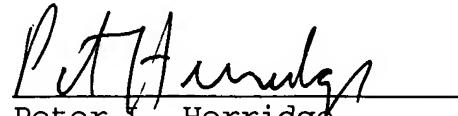
The claims pending and under consideration are claims 1-27.

Claims 1-27 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-26 of co-pending Application No. 10/192,973, claims 1-26 of co-pending Application No. 09/906,251 and claims 1-40 of co-pending Application No. 10/193,600.

In response to this Final Office Action, Applicants submit the attached Terminal Disclaimer which disclaims, under the provisions of 35 U.S.C. 253 and 37 C.F.R. 1.321 and 3.73, the terminal part of any patent granted on Application Serial No. 10/081,943 which would extend beyond the expiration date of any patent which may be granted on any of co-pending U.S. Patent Application Nos. 10/192,973, 09/906,251 or 10/193,600.

The Applicants request that the Examiner withdraw the Final Rejection of claims 1-27 and enter the enclosed Terminal Disclaimer. Applicants believe that the filing of the enclosed Terminal Disclaimer in the above application will place the application in condition for allowance.

Respectfully submitted,

  
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May 24, 2004